IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO.3669 OF 2004
IN
FIRST APPEAL NO.466 OF 1994
AND
CROSS APPEAL NO.275 OF 1994

Sayyad Alam Shah Kadri,
Since deceased
Through his legal heirs,
Sayed Munira Begam Kadri
& Others. .. Applicants.

Vs.

Union of India. .. Respondent

And

Abdul Sattar Abdul Gafoor Nerekar. Applicant
--

Shri S.G.Karandikar, Advocate for the applicants.

S/Shri B.A.Desai, Additional Solicitor General, with M.I.Sethna, Senior Advocate, S.R.Rajguru, A.M.Sethna, S.D.Bhosale, and Ms Naveena Kumai, Advocates for the respondent.
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CORAM : R.M.S.KHANDEPARKAR &
SMT.ROSHAN DALVI, JJ

DATED : 5TH OCTOBER, 2007

P.C.

. Admittedly the applicants claim to have acquired 1/4th share in the property under a consent

decree passed in Civil Suit No.60 of 1997, to which the Government was not a party. Beside, the matter relates to the proceedings arising out of reference under Section 18 of the Land Acquisition Act in relation to award passed in 1983 and 1985. Being so, question of impleading the applicant as the party to these proceedings being on the consent decree passed in the case filed in 1997 does not arise. The civil application is, therefore, rejected.

(R.M.S.KHANDEPARKAR, J)

(SMT.ROSHAN DALVI, J)